

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:99-CR-68-3H  
No. 5:16-CV-265-H

TOMMY CARNEL GENERAL, )  
Petitioner, )  
v. )  
UNITED STATES OF AMERICA, )  
Respondent. )

ORDER

This matter is before the court on petitioner's motion to vacate pursuant to 28 U.S.C. § 2255. [DE #256]. This matter was stayed pending the resolution of United States v. Brown, 868 F.3d 297, 298 (4th Cir. 2017), reh'g en banc denied, 891 F.3d 115 (4th Cir. 2018), cert. denied, 139 S. Ct. 14 (2018). [DE #156]. In light of the Supreme Court's denial of certiorari on October 15, 2018, the stay is hereby lifted.

In consideration of petitioner's pro se status, petitioner may respond to the government's motion to dismiss, [DE #275], within 45 days of the filing of this order. The clerk is directed to send a copy to petitioner of this order as well as government's motion to dismiss. [DE #275].

This 15<sup>th</sup> day of December 2018.

MALCOLM J. HOWARD  
Senior United States District Judge

At Greenville, NC  
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